

07/16/03
16503 U.S. PTO
10/621752

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under
37 CFR 1.53(b))

Attorney Docket No.

2848-40-CIP

First Inventor

Reed Ayers

Title

Manufacture of Porous Net-
Shaped Materials Comprising
Alpha or Beta Tricalcium
Phosphate or Mixtures Thereof

Express Mail Label No.

EV322525961US

21707 U.S. PTO
10/621752
07/16/03

APPLICATION ELEMENTS

Commissioner for Patents
Mail Stop Patent Application
P. O. Box 1450
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form
(submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27
3. ☒ Specification [29 total pages and title page]
(preferred Arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table, or a
computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) [5 total sheets Figures 1-7]
5. ☒ Oath or Declaration [4 total pages]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from prior appl. (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting
inventor(s) named in prior application,
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. (See 37 CFR 1.76)
7. ☐ CD-ROM or CD-R in duplicate, large table
or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form
 - b. ☐ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (coversheet/document(s))
10. ☐ 37 CFR. 3.73(b) Statement ☐ Power of
(when there is an assignee) Attorney
11. ☐ English Translation Document
12. ☐ IDS & Form PTO/SB/08A ☐ Copies of IDS
Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
15. ☐ Certified Copy of Priority Document(s)
16. ☐ Nonpublication Request Under 35 USC
122(b)(2)(B)(i). Applicant must attach form
PTO/SB/35
17. ☒ Other: Certificate of Mailing

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a
preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 10/199,139

Prior application information: Examiner: Eduardo C. Robert Group/Art Unit: 3732

FOR CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a
part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a
portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 25235 or ☐ Correspondence address below



Name

Address

City

State

ZIP

Country

Telephone

Fax

Name (Print/Type)

Sarah O'Rourke

Registration No.

41,226

(Signature)

Sarah S O'Rourke

Date

July 14, 2003

07/16/03

16569 U.S. PTO

FEE TRANSMITTAL for FY 2003

Complete if Known

Application Number

Filing Date

First Named Inventor

Reed Ayers

Examiner Name

Group / Art Unit

Attorney Docket No.

2848-40 CIP

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)**574**

METHOD OF PAYMENT (check all that apply)

☒ check ☐ credit card ☐ money order ☐ other ☐ none

☐ Deposit Account
Deposit
Account
Number

50-1123

Deposit
Account
Name

Hogan & Hartson L.L.P.

The Commissioner is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) for this filing

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
740	375	Utility Filing Fee	375
330	165	Design filing fee	
510	255	Plant filing fee	
740	370	Reissue filing fee	
160	80	Provisional filing fee	

SUBTOTAL (1) (\$)**375**

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
33	-20**= 13	X 9	= 117
Independent Claims	4	-3**= 1	X 42
Multiple Dependent			= 0

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
18	9	Claims in excess of 20
84	42	Independent claims in excess of 3
280	140	Multiple dependent claim, if not paid
84	42	**Reissue independent claims over original patent
18	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**159**

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for ex parte reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SRI after Examiner action	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	
1,440	720	Extension for reply within fourth month	
1,960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,280	640	Petition to revive - unintentional	
1,280	640	Utility issue fee (or reissue)	
460	230	Design issue fee	
620	310	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1.17(q)	
180	180	Submission of Info Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	40
740	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
740	370	For each additional invention to be examined (37 CFR § 1.129(b))	
740	370	Request for Continued Examination	
900	900	Request for expedited examination of a design application	
Other fee (specify)			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**40**

SUBMITTED BY Complete (if applicable)

Name (Print/Type) **Sarah O'Rourke**Registration No.
(Attorney/Agent)

41,226

Telephone

(720) 406-5385

Signature

Sarah O'Rourke

Date

July 14, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Reed Ayers, Steven Simske, John J.
Moore, Martin Castillo and Guglielmo
Gottoli

Group Art Unit:

Examiner:

Serial No. NEW

Filed: Herewith

For: MANUFACTURE OF POROUS
NET-SHAPED MATERIALS
COMPRISING ALPHA OR BETA
TRICALCIUM PHOSPHATE OR
MIXTURES THEREOF

CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop PATENT APPLICATION

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

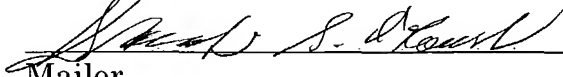
Sir:

The undersigned hereby certifies that the following documents:

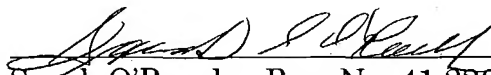
1. Utility Patent Application Transmittal;
2. Fee Transmittal;
3. Check in the amount of \$574;
4. Utility Patent Application (29 pages plus title page);
5. Abstract (1 page);
6. Claims (5 pages);
7. Executed Declaration for Utility Patent Application;
8. 5 sheets of drawings (Figures 1-7);
9. Recordation Form Cover Sheet PTO 1595 with Executed Assignments (2);
10. Return postcard; and
11. Certificate of Mailing By Express Mail

relating to the above application, were deposited as "Express Mail," Mailing Label
No. EV322525961US, with the U.S. Postal Service, addressed to Mail Stop PATENT
APPLICATION, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313.

July 16, 2003
Date


Mailer

July 16, 2003
Date


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